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*Dr. E. L. Clarke*

*With the Respect of C. Leonard*

HOUSE.....

.....No. 65.

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# REPORT

OF THE

## JOINT SPECIAL COMMITTEE

OF THE

### LEGISLATURE OF MASSACHUSETTS

APPOINTED TO

CONSIDER THE EXPEDIENCY

OF

MODIFYING THE LAWS RELATING TO THE REGISTRATION

OF

## BIRTHS, MARRIAGES, AND DEATHS,

PRESENTED MARCH 3, 1849.

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BOSTON:

DUTTON AND WENTWORTH, STATE PRINTERS,

No. 37, Congress Street.

1849.

**Commonwealth of Massachusetts.**

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HOUSE OF REPRESENTATIVES, January 16, 1849.

ORDERED, That Messrs. Shattuck, of Boston, Wilder, of Leominster, Boutwell, of Groton, Joy, of Cummington, and Hubbell, of Lanesborough, with such as the Senate may join, be a committee to consider the expediency of modifying the existing laws, relating to the registration of births, marriages, and deaths.

Sent up for concurrence,

CHAS. W. STOREY, *Clerk.*

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SENATE, January 17, 1849.

Concurred, and Messrs. Lord and Leonard are joined.

CHAS. CALHOUN, *Clerk.*



## Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, March 3, 1849.

The Joint Special Committee appointed "to consider the expediency of modifying the existing laws relating to the Registration of Births, Marriages, and Deaths," and to whom were referred the various memorials and petitions relating to that subject, have considered the same, and present the following

### REPORT:

The registration of births, marriages, and deaths has not generally received that attention which its importance deserves. In this, as in many other matters, we continue habits to which we have long been accustomed, without inquiring whether they are the very best that might be adopted, or whether they are susceptible of improvement. The attention of our people is generally so much absorbed in the pursuits of industry, which obviously promise an accumulation of wealth, that little attention is paid to other though not less important matters connected with social rights and human life. The incompleteness of the facts which are accessible on this subject, and the uninteresting and impracticable manner in which they have generally been presented, have tended to increase this indifference. A mere cursory view of registration will not present its importance in its true light and in all its force. To be fully understood and appreciated, it must be carefully studied in its various bearings upon the personal history, the physical welfare, and the moral elevation of man. Those nations and individuals, who have so studied the measure, regard it as among the most important institutions of modern times. In consider-

ing the subject, the following questions have been suggested. Is a system of civil registration expedient? Have our laws on the subject provided a proper system? What provisions of law are necessary to form such a system? Is the present a suitable time to adopt it? And can it be carried into practical operation?

I. THE FIRST QUESTION we propose to consider is:—*Is a system for the general civil registration of births, marriages, and deaths, necessary or expedient?* What is the utility of such a system? to what purposes can the facts which it supplies, be applied? and what are the reasons for its adoption? In examining this part of the subject, the following considerations, in favor of registration, are presented:—

1. *Registration would furnish facts to illustrate the personal history of individuals.* The three great eras of human life are, the period of birth, of marriage, and of death. Whenever the dates and circumstances of these events are publicly registered, there exists some permanent accessible memorial, that the individual has lived. When they are not preserved, his existence must become as if it had not been, unless some comparatively rare event should happen to bring him into public notice, and accidentally hand his name down to posterity. The great majority of mankind would die as they have died, unknown and forgotten. Almost every individual has, or may have, an interest in the personal history, not only of himself and his connexions, but of his fellow beings generally; and provisions should be made in the public records, by which it might be ascertained, and for the following reasons:—1. A strong desire exists in the minds of most men to know something of their origin,—their parents, grandparents, and other more remote ancestors; and this laudable desire should be encouraged. But, without public records, all efforts to trace a lineage back for any considerable length of time must be unavailing; the history of families must be traditionary and fabulous. 2. Questions as to the age of individuals, and whether they are in minority or full age, are often presented; and many rights, pecuniary, social, and political, often depend

on the evidence which a register alone can furnish. When this is wanting, great labor is often spent in vain to ascertain the date of the birth of an individual, and injustice often results in consequence to the parties interested. 3. Towns have often been subjected to great labor, vexatious and expensive law-suits, and to much injustice, in determining questions as to the settlement and support of paupers, under the operation of our laws, which might have been avoided if the registration of births, marriages, and deaths, had been generally made. 4. Many persons have been deprived of the pensions to which they or their husbands were justly entitled, because they were unable to procure the proof which the marriage or other registers should furnish, and, on that account, many a widow and orphan has suffered, or is now suffering, in penury and want, or is cast upon towns for support, because they need the aid which the government allows, as a poor compensation for meritorious services. 5. The equitable descent and distribution of estates often depend almost entirely upon the evidence which the registers furnish of the personal history of individuals; and it requires only a partial acquaintance with the proceedings of our courts of justice to show how important such a register may be in settling questions as to the marriage relation, titles to estates, and the rights of heirs at law. Advertisements, offering a reward for legal evidence of a marriage, are not uncommon. When such evidence cannot be obtained, an estate may fall into the possession of those who are not justly entitled to it. And even when the descent is finally and equitably established, it is often after expensive litigation, which disturbs the peace and happiness of families, and results in a positive injury. It has been well said, by an eminent English jurist, that it "appears fully as necessary, for the preservation of the rights of individuals, to preserve a register of births, deaths, and marriages, as it is to preserve a register of deeds." As a source of evidence, registration would be comparatively valuable, if part of the births, marriages, and deaths, were not recorded; but its value would be increased in proportion to the degree of fulness attained.

2. *Registration would furnish data for constructing proper*

*life tables.* Insurance on human life and health is one of the most valuable discoveries of modern times, and now constitutes one of the highest and most important departments of business in England. This kind of insurance is effected there by mutual societies or commercial companies, and the engagements of some of them are vast, beyond our conceptions. It is as common as insurance on property. In the United States, the advantages of such insurance are becoming more and more known and appreciated; and the number of institutions authorized to insure, and the number of the insured, are constantly increasing. The rates of insurance are compiled from life tables, which should show the probable lifetime of individuals at birth, and the after-life time, at any subsequent age, under all the circumstances with which they are surrounded and by which they are affected. It is highly important to all parties concerned, that these rates should be graduated correctly, from data furnished by an accurate history of human life and human health, as they exist in our own country. This has not been furnished. The rates, by which our life and health offices are governed, are chiefly formed from foreign tables, derived from foreign data, which may or may not be correct when applied to this country. The facts recently developed by the English registration system show that most of the old tables in use there are exceedingly incorrect. Various questions, relating to the value of reversionary estates, rights of dower, and other questions of a kindred character, are intimately connected with this subject, and depend upon the same data for their adjustment as life insurance. By the decision of the supreme court of Massachusetts, the tables constructed by Professor Wigglesworth are the authorized standard for computations of this kind. But these tables, having been constructed from the deaths alone, are notoriously incorrect. If a thorough system of registration should be introduced, and a proper census of the living population taken, we should soon have the means of constructing life and health tables for the different sections of the State, and thus be able to show the probable life-time in any place. This information would be important to all classes of the people. The English life table will presently be noticed.

3. *Registration would exhibit the physical condition of the people.* Human health is not equally vigorous, nor human life equally extended, in all localities, nor in all circumstances. There are various causes which impair the one, and shorten the other. The natural or artificial position of the place, the atmosphere and the seasons of the year, the number and the density of the population, their degree of wealth or poverty, their occupations and the manner in which their occupations are pursued, the sex and age of those employed, their food, clothing, habits, and manner of life, the moral influences in which they live, and various other circumstances, may be such as to influence, favorably or unfavorably, the health and lives of the people. A knowledge of all these circumstances, as they may exist in all the towns in this State, would be of immense consequence to our people. It would be of great practical importance to know in what place, among what class of our population, and under what circumstances, epidemic or other diseases, are most likely to prevail, to destroy life, or weaken the productive energies of the people, or to extend life and promote their vigor and increase their power. There is a mode by which all this information may be obtained, and by which the force of mortality, pressing upon a people, may be weighed and measured. This may be done by means of an enumeration of the number and ages of the living, and an accurate registration of the localities, circumstances, and causes of death, and an intelligible abstract of these facts. The facts we already possess will illustrate this matter. It appears, from accurate investigations, that, of 100 deaths in two different places, of the same population, 40 may take place in one and 60 in the other, showing that mortality presses upon the one with fifty per cent. greater force than upon the other. Of 16,414 deaths which occurred in Boston, in the period—1831 to 1840, only 6.46 per cent. occurred in June, while 10.74 per cent. occurred in September, showing that mortality pressed with 66.25 per cent. greater force in the latter than in the former month. The average age of the deceased in the Catholic burials in Boston, for ten years, was only  $12\frac{1}{2}$  years, while the average age of the deceased in the burials of the people gener-

ally, in Franklin County, was  $37\frac{1}{2}$  years, showing the force of mortality to be 200 per cent. greater in the one case than in the other. It moreover appears, that, at the same time, in Boston, 812 deaths were caused by scarlatina, showing that that disease, or that form or force of mortality, pressed upon that city with a force equal to 7.96 per cent. of all forms or forces. In like manner may this force be weighed and measured in all its details. The accuracy of the measurement depends, however, upon the degree of accuracy with which the facts are registered and abstracted. To be entirely correct, every birth, every marriage, and every death, which takes place in a given locality, should be recorded.

This method of illustration may be applied to the number of births and marriages, with equal propriety, to show the physical condition of a people. The relative number of births to a population is an important element of knowledge, to show whether a people are healthy and prosperous, or otherwise. When it is great, it indicates that the people are depressed in their industrial energies, that disease and death are more frequent, and that their pecuniary condition is low. A less number indicates greater energy, less disease and death, more prosperity, and a higher degree of civilization.

So in regard to marriages. The fluctuation in the relative number of marriages, and of the age at marriage, in a country, is a strong indication of the views which the great body of the people take of their prosperity. In times of great prosperity, people become more sanguine, the number of marriages increases, and they are contracted at an earlier age. These results are as sure to follow a state of great activity and speculation, or stagnation and prudence in the general business matters of the country, as property is to rise or fall in price. And suffering is as sure to follow an excess of marriages, and an undue proportion of imprudent ones, or at too early an age, as it is to follow times of extravagance and of speculation.

4. *Registration would ultimately lead to the diminution of disease and the extension of life.* Health is a possession capable of increase or diminution, of growth or decay. It, and even death itself, are, in some measure, within the control of

man. The laws of nature, applicable to the life and health of man, are framed by a beneficent hand. When they are fully understood and obeyed, mankind will almost reach that degree of power which will enable them to say to disease and death, thus far shalt thou go, and no further, until "a ripe old age." If a person voluntarily plunges into the ocean, throws himself into the fire, or leaps from a precipice, and death follows, such a death may be considered a premature death. So if a person violates the laws of life, by eating and drinking, by exposure, or by any other cause, and disease and death follow, such a death may also be called a premature death. In both cases, the death and the cause of death might have been prevented. "As there is a poverty that is self-inflicted, and may be self-removed," says a late writer, "so there is a certain amount of disease and annual mortality in every place, that is self-inflicted; and the community that does not strive, by every available means, to reduce its disease and mortality bills to the lowest sum of human suffering, and the lowest rate of annual mortality, is as guilty of suicide as the individual who takes, with his own hands, the life God has given, and hurries unbidden into the presence of his Judge." It may be asked, what can the government do to arrest the hand of death? We do not suppose that an act of the Legislature can compel a child to live, or an adult to keep his energies in a healthy state of action. But it is as certain that human life may be prolonged by knowledge and care, as it is that an ox will fatten, a silk-worm spin its thread, or a plant thrive better, where knowledge and care are bestowed, than where they are not. Let the facts which the registry system proposes to collect, concerning births, deaths, and marriages, and the circumstances which attend them, be collected, digested, arranged, published, and diffused annually, and their effects on the living energies of the people would be incalculable. They would be an annual lesson on the laws of human life, in their operation among ourselves,—a kind of practical physiology, taught in all our towns and at our firesides, and hence, far more instructive and impressive than any usually derived from books. They would teach the laws of human life, developed by the natural

constitution of our bodies, as they actually exist under the influences that surround them, and how far they may be favorably modified and improved. This can be done only by an accurate knowledge of the facts that are daily occurring among us. These matters are important to the physician to aid him in curing the sick, but far more important to the people, to aid them in learning how *to live without being sick*. It is far more important to *avoid disease* than to attempt to cure disease after it has invaded our system.

Dr. Playfair, who made the sanitary survey of the county of Lancaster, states, as the result of his investigation, that there are yearly, in that county, "398,000 cases of sickness and 14,000 deaths, which might be prevented. Of the deaths, 11,000 are of adults engaged in profitable labor. And, further, that every individual in that county loses 19 years, or nearly one half of the proper term of his life, and that every adult loses more than 10 years of life, and, from premature old age and sickness, much more than that period of working ability; that "the annual slaughter from typhus alone, in England and Wales, is greater than the loss sustained by the allied armies in the battle of Waterloo! Yet what sort of a battle do we here find fought and won, by preventable disease, against the population of the county of Lancaster! What would be thought of a war in which 5,000 of the able-bodied men, in one county, fell every year in battle? And yet this is only half of the number annually slaughtered in that county, by removable epidemics! Yet this annual loss of able-bodied men, so much greater than the most cruel of known wars, in modern times, is scarcely more severe than the loss sustained by the continued physical deterioration of the survivors. It was a matter of constant complaint to me, by the recruiting officers in the various districts of the county, that the sons are less tall than the fathers, and that the difficulty is constantly increasing, of obtaining tall and able-bodied men."

What is true in relation to the people of England, may, to a greater or less extent, be true in the United States and in Massachusetts. By the last Registration Report, it appears that the whole number of deaths registered in all the counties of



the State, except Suffolk, for the year ending in May last, was 11,346. During the same time, 4,373 persons died in that county, and probably there were as many as 2,280 who died in the whole State, and who escaped registration. This would make the total deaths, during the year, 18,000, which was probably near the true number. This is 1 in 50 of the whole population of the State, estimating it at 900,000.

Extensive investigations have been made in England to ascertain the proportion which sickness bears to mortality, and the conclusions to which these investigations have led, are, that to one annual death two individuals are constantly sick. To persons over 60 years of age, and to those who suffer less important disturbances of their general health, at any age, the proportion is much greater; but it is a near approximation to the truth to say, that, in a place where one person dies in a year, the average severe sick-time which is suffered, is equal to two entire years of the life-time of one individual, and in the same proportion where any greater number die. According to this estimate, there were, in this State, during the year ending May last, 36,000 persons constantly suffering severe sickness. It has been supposed that a quarter part of the deaths which take place might have been avoided; and that 4,000 of the 18,000 were premature deaths, and, if the laws of health had been known and observed, these 4,000 lives might have been saved; and, if so, 8,000 years of sick-time might have been avoided.

This estimate is founded upon the facts obtained in England. It may, and probably is, too high an estimate of the amount of sickness suffered by the people of this State. Few places, we hope, can be found where the energies of the people are debilitated to such a degree. We want the facts which registration would furnish to ascertain what is the truth. If the result of the facts should exhibit an amount of preventable sickness and death equal even to one half of the above estimate, is it not the highest duty of the people to ascertain their physical condition, and to do all in their power to remove so momentous an evil?

5. *Registration would lead to a diminution of poverty and an*

*increase of the wealth of the people.* The wealth of a country consists in its inhabitants, and the wealth of the inhabitants in the length of their lives, in the vigor of their health, and in the productive power of their industry. An increase of wealth is as sure to result from a long life of vigorous health, as poverty is to result from a life shortened by death or impaired by disease. The labor of every man contributes not only to his own wealth but to the wealth of the State; and it is the duty of the government to do all in its power to raise the standard of health to the highest possible state of vigor and productiveness.

It may be proper to take a pecuniary view of this matter, and consider time as money, labor as money, *life as money*. The pecuniary losses incurred by preventable sickness and mortality have often been estimated by competent persons. They include the cost of extra cases of sickness, in medical attendance, medicine, and nursing; the loss of wages during sick-time; the cost of funerals for the extra deaths; the loss of the life-time of the premature dead; and the cost of maintaining widows and orphans, thrown, by the premature death of husbands and fathers, on public or private charity. And they estimate, on the average, severe sickness, including medicine and nursing, at \$150 per annum; loss of wages during sickness, at \$50 per annum; funerals, at \$10 each; the life-time of the premature dead, allowing 25 years as the average time of productive labor, at \$1,250 for each entire life; and the cost of maintaining the widows and orphans which one premature death occasions, at \$1,000 each. We will, however, present this subject in a more simple form, and estimate, at least, that *five years* might, on the average, have been added to the lives of each of the 18,000 persons who died, in this State, the last year, and that 4,000 years of sickness occurred, and 14,000 years of labor were lost, which might have been prevented. Taking this favorable basis, we have—

Loss of labor (18,000 × 5) 90,000 years, at \$50	
per year,	\$4,500,000
Cost of 4,000 years of sickness, at \$50 per year,	200,000
Loss of 4,000 years of labor, at \$150 per year,	600,000
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Total annual loss,	\$5,300,000

These statements are confirmed by the investigations which have been made elsewhere. Lord Morpeth, in his speech, when he introduced into Parliament his bill for the sanitary improvement of the towns, in England, says, "there are items of expense which may be reckoned to be incurred under the present system, or rather want of system; direct attendance on the sick; loss of what they would have earned; premature death of productive contributors to the national wealth, and expenses of premature funerals. Dr. Playfair estimates this loss for Manchester, at nearly £1,000,000; Mr. Hawkesley calculates the loss for Nottingham, at £300,000; Mr. Clay estimates the loss for Preston, at £990,000; Mr. Coulthait takes the loss for Ashton-under-Lyne, at £235,000; and Dr. Playfair considers the loss of London to be above £2,500,000; and that of England and Wales little short of £11,000,000; and of the United Kingdom, £20,000,000," or nearly \$100,000,000! And this an annual loss!

This pecuniary view of the subject, though striking in itself, will, we sincerely believe, be found, when analyzed, and compared with the actual facts, to be far below the actual loss incurred. As it is, however, it presents a powerful argument in favor of removing those causes which produce this enormous annual loss, and in favor of registration to ascertain those causes.

6. *Registration would lead to the diminution of crime, and to the moral improvement and elevation of man.* A state of great depression in health is generally attended by moral degradation. Where the production of life is great, and where the people are sickly, they are less happy, crime is more frequent, and they suffer, to a greater or less extent, those evils which are the result of a low state of civilization. Let a knowledge of the facts which registration would furnish be diffused among the people, and a favorable moral influence would be produced. Efforts would be made to improve their condition, and to correct evil habits. A restraint would be thrown upon human action in its tendency to crime, and many improper or illegal social connections would be prevented. The knowledge of the fact, that the individual's name is to be placed upon the public record,

and handed down to posterity, may exert an influence over that individual, and induce him to live to some good purpose, or to act so as to prevent a blot on his name and history. It will teach the transitory nature of human existence, and how "one generation passeth away and another cometh," and thus "so teach us to number our days that we may apply our hearts unto wisdom."

We have presented a pecuniary view of the subject. But, however striking that may appear, it deserves not to be mentioned, when contrasted with another, which presents itself. The amount of widowhood and orphanage which death occasions, and the poverty and suffering which often accompany them, may be estimated by the community or individual who contributes to their relief. Man may be convinced that vast losses are annually incurred by neglect of health, and that any sums expended to prevent them would be a capital invested, on which an enormous interest would be paid, by diminishing the sickness and mortality and increasing the productive labor of the people. But who can estimate, in dollars and cents, the care, anxiety and suffering, mental and physical, which the premature sickness or death of a husband or wife, a father or mother, a son or daughter, a brother or sister, a friend or connexion, may occasion? Who can tell how much even one such death, by blighting earthly hopes, impairs the vital energies of the living, and accelerates the approach of another? The mental anguish and physical suffering which sickness and death produce, may possibly be feebly figured to one's own imagination, but their full force must lie concealed in the mind of each individual sufferer.

Our reasons in favor of Registration do not rest on any pecuniary view of the subject. Man is not a mere producer—a mere machine. His life or death, his happiness or misery, are much too high objects upon which to place a pecuniary value. He is more nicely made, more wonderfully organized, requires to be guarded with more care from any influence that may surround him, to produce disorganization and unfit him for use, is capable of higher and more noble purposes, and has a higher and more noble destiny; and, in proportion as in each of these

he exceeds a mere machine, in that proportion ought we to regard his intellectual and moral nature, and the means used to preserve and develope his physical powers, to enable him best to accomplish the great purposes of his intellectual and moral existence.

These general views lead the committee to the conclusion that registration *is* necessary and expedient, and that it would be highly useful, if introduced effectually into all our towns and cities. And they can see no sufficient reason why it should not be done, unless it is preferred to bury every thing relating to ourselves, and to man, in oblivion ; and to act and to legislate without reference to the health and the lives of our people, and in total ignorance of the laws of population, and the causes which influence its movement and progress.

II. THE SECOND QUESTION we propose to consider, is : *Do the existing laws furnish such a system of registration as is desirable ?* Have they secured a record of the necessary facts ?

It appears, from the history of registration in the Massachusetts Colony, that the original settlers were aware of its importance. As early as September, 1639, it was enacted that “the days of every marriage, birth, and death, of every person within this jurisdiction, be recorded in a book, to be kept to posterity.” A short time afterwards, a further provision of law was passed, as follows :—

“It is ordered that the clerk of the writs, [town clerk] in the several towns, shall record all births and deaths of persons, in their towns, and, for every birth and death they so record, they shall be allowed three pence ; and they shall yearly deliver in to the recorder of the court of the jurisdiction where they live, a true transcript thereof, together with so many pence as there are births, or deaths, to be recorded.

“And all parents, masters or servants, executors or administrators, respectively, shall bring in to the clerk of the writs, in their several towns, the names of such persons, belonging to them, or any of them, as shall either be born, or die.

“And, also, every new-married man shall likewise bring a certificate, under the hand of the magistrate who married him, unto the said clerk, to be by him recorded, who shall be allowed three pence for the same ; and the said clerk shall deliver, as aforesaid, unto the recorder, a certificate, with a penny a name, for re

ording said marriage : And if any person shall neglect to bring a note, or certificate, as aforesaid, together with three pence a name, to the said clerk of the writs, to be recorded, more than one month after such birth, death, or marriage, he shall pay twelve pence to the said clerk who shall demand the same ; and, in case any shall refuse to satisfy him, he shall then return the name of such person, or persons, to the next magistrate, or commissioners of the town where such person dwells, who shall send for the party so refusing ; and, in case he shall still persist therein, shall give order to the constable to levy the same : And if any clerk of the writs shall neglect his duty, hereby enjoined, he shall pay the following penalties, viz., for neglecting a yearly return to the county court, five pounds ; and, for neglect of returning the name of any person, returnable by this order, whether born, married, or died, more than thirty days before his return to the county court, five shillings ; and, that no neglect may be herein, for the future, the clerk of each county court is hereby enjoined, from time to time, to certify the county courts, respectively, the names of all such clerks of the writs, who shall neglect to make their yearly return, according to this law, who, upon such notice given, shall send for such clerks, and do in the case as the law requireth.”

Similar laws were passed in the Old Plymouth Colony, about the same time. On the 20th October, 1646, it was enacted—

“ That there shall be, in every town within this government, a clerk, or some one, appointed and ordained, to keep a register of the day and year of the marriage, birth, and burial, of every man, woman and child, within their township, and to have three pence apiece, for each particular person so registered : and further, it is enacted, that every father, or mother, or next in relation, shall certify to the town clerk, or register keeper, the name and day of the birth of every child so born in his house, within one month next after it is born, or be fined, for every such default, three shillings, the one half moiety thereof to the governor, the other half moiety thereof unto the said clerk, or register keeper, upon his complaint. And, that every person married shall signify his and her name, with the day upon which they were married, unto the said clerk or register keeper, within one month next after the day of said marriage, upon the like penalty of three shillings, the one moiety thereof unto the governor’s use, and the other thereof unto the said clerk, or register keeper, upon his complaint. And, also, that every master or mistress, of the family in which any person dies, or person next in relation to any person so dead, shall give notice unto the said clerk, or register keeper, the name of the person, and day of said burial, subpena three shillings, the one half, or moiety, to the governor’s use, the other to the clerk, or register keeper, upon his complaint. And the clerk, or register keeper of each township, shall exhibit a true and perfect copy, fairly written, annually, at March court, unto the said court, of all the births, marriages, and burials of the year past. And, lastly,

that the clerk, or register keeper in every township, shall publish all contracts of marriages, and shall have twelve pence, as his fee, for every marriage as he publisheth orderly."

Under the operation of these excellent laws, records of births, marriages, and deaths, were made in the several towns in the colony, and copies of these records were forwarded to the clerk of the county courts in which the towns were situated; and the practice continued during nearly the whole period of the first charter. A book, now extant, in the office of the city clerk of Boston, contains returns, prior to 1665, from the several towns then existing in Middlesex, before the incorporation of that county, and of the other towns in Suffolk, then including the present county of Norfolk. The volume, containing the returns subsequent to that period, like many other valuable records then made, is not known to be in existence. In the offices of the Register of Probate, Register of Deeds, and Clerk of the County, in Cambridge, may be found copies of the returns from the several towns in Middlesex county, during the first charter. Returns from the several towns in Essex county are found at Salem. Many of the records of that period have been destroyed by fire, others from the carelessness and inattention of those in whose custody they were placed, and others from other causes. The records of our forefathers, at that early period of our history, which have been preserved, and handed down to the present generation, reflect the highest credit upon their far-seeing sagacity, and are an invaluable legacy to us, their posterity.

When the two colonies were united, in 1692, the laws of the previous governments, in relation to registration, were substantially re-enacted, "for preventing of great uncertainty and inconvenience that may happen, for want of a particular register of births and deaths." There were, however, some exceptions. The excellent provision, of requiring returns to be made to the county courts, was abolished, and the records only required to be made in the towns. Clergymen, as well as justices, were then permitted to solemnize marriage. These laws were mainly continued until after the revolution. In 1786, ministers and justices were required to keep a record of the marriages which

they solemnized, and return it to the town clerk, under penalty of being deprived of the right to marry, for ten years. In 1796, a new act was passed, in relation to births and deaths, repealing previous laws, and providing that all the facts required should be returned to the town clerk, by the parties designated, under forfeiture of one dollar. The whole were remodelled in 1835, and enacted in the following form, in which they appear in the Revised Statutes :—

SECT. 46. The town clerk shall keep a record of the births and deaths of all persons within his town, and coming to his knowledge ; and he shall specify, in such record, the day of each birth and death, and the names of the parents of such persons, if known.

SECT. 47. Parents shall give notice to the clerk of their town, of all the births and deaths of their children ; and every householder shall give the like notice of every birth and death happening in his house ; and the eldest person next of kin, shall give such notice of the death of his kindred ; and the keeper of any alms-house, work-house, house of correction, prison, or hospital, and the master or other commanding officer of any ship, shall give the like notice of every birth and death, happening among the persons under his charge ; and every person, neglecting to give such notice, for the space of six months after the birth or death shall have happened, shall forfeit, to the use of the town, a sum not exceeding five dollars. [*Revised Statutes, page 182.*]

SECT. 17. Every justice and minister shall keep a record of all marriages solemnized before him, and, in the month of April, annually, shall make a return, to the clerk of the town in which he resides, of a certificate, containing the christian and surnames, and places of residence, of all the persons who have been by him joined in marriage within the year then last past, and also the time when, and the name of the town in which, such marriages were respectively solemnized ; and when neither of the married persons belongs to, or is resident in, the town in which the justice or minister resides, then such justice or minister shall, within thirty days after such marriage, also return a like certificate to the clerk of the town in which one or both of the married persons may reside ; and all marriages, so certified to the clerk, shall be forthwith recorded by him in a book to be kept for that purpose.

SECT. 18. Every justice of the peace and minister, who shall neglect to make such returns, shall, upon conviction thereof, forfeit, for each neglect, a sum, not less than twenty, nor more than one hundred dollars ; one moiety thereof to the use of the county in which he resides, and the other moiety to the use of the person who shall prosecute therefor. [*Ibid, page 477.*]

*Town Clerk's Fees.*—For recording births and deaths, eight cents each. For a certificate of a birth or death, ten cents. [*Ibid, page 712.*]

Under the operation of these laws, registration, for the hun-



dred years prior to 1842, received less and less attention, until it became almost entirely neglected. In Boston, where the number of births was nearly 4,000, there were recorded, in the year ending May 1, 1843, only *four*. The records in many interior towns were as deficient, and in many others, no records at all were kept. Whoever attempts to prove, from the public records, a birth, a marriage, or a death, or even his own legitimacy, during this dark, *unrecorded age* of New England, will, generally, fail in the attempt.

After the excellent system of registration, established in England, in 1837, became known, many individuals were so far impressed with its importance, as to induce them to petition the Legislature of Massachusetts, for its adoption in this State. Among the petitioners, were the Massachusetts Medical Society, and the American Academy of Arts and Sciences. As the result of their petitions, the following "Act relating to the registry and returns of births, marriages, and deaths," was passed March 3, 1842.

**SECT. 1.** The clerks in the several towns and cities in the Commonwealth shall, annually, in the month of May, transmit to the Secretary of the Commonwealth, a certified copy of their record of the births, marriages, and deaths, of all persons within their respective towns and cities, which may come to their knowledge; shall state the number of births and marriages, and the number of deaths, with the name, sex, age, (and if an adult male, the occupation,) and the names of the diseases of which all persons have died, or are supposed to have died, together with the cause, or causes of the death of all such deceased persons, so far as they may be able to obtain a knowledge of the same from physicians or others; and any clerk, who shall neglect to make such return, shall be liable to a penalty of ten dollars, to be recovered for the use of any town or city where such neglect shall be proved to have existed.

**SECT. 2.** The Secretary of the Commonwealth shall prepare and furnish, to the clerks of the several towns and cities in this Commonwealth, blank forms of returns, as hereinbefore specified, and shall accompany the same with such instructions and explanations as may be necessary and useful; and he shall receive said returns, and prepare therefrom such tabular results, as will render them of practical utility, and shall make report thereof annually, to the legislature, and generally shall do whatever may be required, to carry into effect the objects of this act, and of the several provisions of the Revised Statutes, not inconsistent with this act.

Two Annual Reports were made under the operation of this

act; but its imperfections were so apparent, that the Legislature passed, March 16, 1844, the better and more efficient one, now in force, containing the following provisions:—

SECT. 1. The clerks of the several cities and towns in this Commonwealth shall, annually, in the month of June, transmit to the Secretary of the Commonwealth a certified copy of their record of births, marriages and deaths, which have occurred within their respective cities and towns, during the year next preceding the first day of said month.

The births shall be numbered and recorded in the order in which they are received by the clerk. The record of births shall state, in separate columns, the date of the birth, the place of birth, the name of the child, (if it have any,) the sex of the child, name and surname of one or both of the parents, occupation of the father, residence of the parents, and the time when the record was made.

The marriages shall be numbered and recorded in the order in which they are received by the clerk. The record of marriages shall state, in separate columns, the date of the marriage, the place of the marriage, the name, residence, and official station of the person by whom married, the names and surnames of the parties, the residence of each, the age of each, the condition of each, (whether single or widowed,) the occupation, names of the parents, and the time when the record was made.

The deaths shall be numbered and recorded in the order in which they are received by the clerk. The record of deaths shall state, in separate columns, the date of the death, the name and surname of the deceased, the sex, condition, (whether single or married,) age, occupation, place of death, place of birth, names of the parents, disease or cause of death, and the time when the record was made.

SECT. 2. The school committee of each city or town shall, annually, in the month of May, ascertain, from actual inquiry or otherwise, all the births which have happened within such city or town during the year next preceding the first day of said May, together with the facts concerning births required by the first section of this act, and shall make an accurate return thereof to the clerk of such city or town, on or before the last day of said May; and the said school committee, or other person authorized by them to make such returns, shall be entitled to receive, from the treasury of such city or town, five cents for each and every birth so returned.

SECT. 3. Every justice, minister and clerk, or keeper of the records of the meeting wherein any marriages among the Friends or Quakers shall be solemnized, shall make a record of each marriage solemnized before him, together with all the facts relating to marriages required by the first section of this act; and each such justice, minister, clerk or keeper, shall, between the first and tenth days of each month, return a copy of the record for the month next preceding, to the clerk of the city or town in which the marriage was solemnized;

and every person, as aforesaid, who shall neglect to make the returns required by this section, shall be liable to the penalty provided in the eighteenth section of the seventy-fifth chapter of the Revised Statutes.

SECT. 4. Each sexton or other person, having the charge of any burial-ground in this Commonwealth, shall, on or before the tenth day of each month, make returns of all the facts required by the first section of this act, connected with the death of any person whose burial he may have superintended during the month next preceding, to the clerk of the city or town in which such deceased person resided at the time of his death. And such sexton, or other person, shall be entitled to receive, from the treasury of the city or town to which the return is made, five cents for the return of each death made agreeably to the provisions of this act.

SECT. 5. The clerk of each city or town shall be entitled to receive, from the treasury of such city or town, eight cents for the record of each birth and death: *provided* such clerk shall comply with this act in all respects.

SECT. 6. It shall be the duty of the clerks of the several cities and towns, to make such distribution of blank forms of returns as shall be designated by the Secretary of the Commonwealth.

SECT. 7. The Secretary of the Commonwealth shall prepare and furnish, to the clerks of the several cities and towns in this Commonwealth, blank books of suitable quality and size, to be used as books of record, according to the provisions of this act, and also blank forms of returns, as hereinbefore specified, and shall accompany the same with such instructions and explanations as may be necessary and useful; and he shall receive said returns, and prepare therefrom such tabular results as will render them of practical utility; and shall make report thereof annually to the Legislature, and generally shall do whatever may be required to carry into effect the provisions of this act.

SECT. 8. Any clerk who shall neglect to comply with the requirements of this act, shall be liable to a penalty of ten dollars, to be recovered for the use of any city or town where such neglect shall be proved to have existed.

SECT. 9. An act entitled "an act relating to the registry of births, marriages, and deaths," passed on the third day of March, in the year one thousand eight hundred and forty-two, is hereby repealed.

SECT. 10. This act shall take effect from and after its passage.

In executing the provisions of the above act, Registry Books were prepared by the Secretary of State, in 1844, and furnished to all the towns in the State.

The Secretary of State has made five annual reports under this act. These seven registration reports, though they exhibit many imperfections, and are far less valuable than they would have been, had the system of registration been such as to secure complete returns of all the births, marriages, and

deaths, have been productive of considerable good ; and have had a favorable influence in awakening public attention to the importance of registration, and to the value of the accurate facts which it is designed to furnish. They show that increasing attention is paid to the law in nearly all parts of the State, with the exception, perhaps, of the metropolis, and a few of the towns ; and that registration is popular, notwithstanding the imperfections of the law. They have made known many valuable facts, which have furnished data for arguments for a sanitary survey of the State, in memorials which have been presented to the Legislature ; and they are justly regarded as among our most important State documents. The number of births, marriages and deaths, registered and returned, has annually increased. The number returned each year, deducting the county of Suffolk, appears as follows :—

Year.	Births.	Marriages.	Deaths.
1842	8,470	4,974	7,538
1843	8,659	5,023	8,341
1844	14,646	4,275	8,250
1845	15,564	4,841	8,750
1846	16,352	5,234	9,320
1847	16,917	5,350	10,965
1848	16,515	5,287	11,346
	<hr/>	<hr/>	<hr/>
Total,	97,123	34,984	64,510

Beside many other useful results, exhibited in the reports, these figures show that the law has secured the registration of 97,123 births, 34,984 marriages, and 64,510 deaths, which took place in the seven years, ending May 1, 1848, a great part of which would have escaped registration under the old law. The law, however, is defective, and requires amendments, to secure all the advantages which might be derived from a more perfect one.

This view of the history of registration shows that no law, hitherto in operation, has secured its intended purpose. They have been characterized, in a greater or less degree, by several imperfections.

1. They have been loose and inexact, and have provided no simple, explicit, and uniform plan, or mode of registration, for all the towns. Each town clerk has consulted his own taste or convenience, in making the record. Some have abridged the record, as much as possible, others have given it more extension. Some have made the entries in chronological order, others in groups, according to families. Others have neglected all records, or made them in such a way as to render them useless.

2. They have exacted a fee from the connexions or friends of the person, whose birth or death was recorded, for making the record. This seems to be bad policy. So far as the people are concerned, the record should be free; and the recording officer should be paid in some other way. The fee prevents the names of many poor persons from appearing upon the record.

3. They have required no information, in regard to the sex, age, occupation, and causes of death, &c., of the person deceased, or concerning other particulars, important to be known, relating to births and marriages. There are two objects to be attained by recording these particulars;—one, to aid in matters of evidence, and identification; the other, for statistical investigation. In a populous place, there may be twenty or more persons by the name of John Smith, John Jones, or other common names; and it would be difficult, if not impossible, to identify the individual, whose occupation, place of residence, and connexions, were unknown. It may, also, be useful to know these facts, to ascertain their influence over diseases which may prevail in different localities. Age is an important and indispensable element of knowledge, in investigating most questions relating to population; and it should be stated with all attainable accuracy in regard to the living, and in regard to every person who is married or dies. When the age and causes of death are omitted, the record becomes nearly useless for purposes of statistical investigation; and defeats one of the main objects of registration. Some objections have been made to the law of 1844, because it requires the age, at marriage, to be stated. Those, however, who make this objection, do not seem to comprehend the subject.

An eminent English statist, in a recent work, says, "the rapid growth of the population of the United States, is not attributable to the great duration of life, but arises from the early marriages, and their number and fruitfulness, aided, in a considerable degree, by emigration." It is important to know whether this be true or false. Knowing the *age at marriage*, and instituting a comparison with other countries, are the means of arriving at the truth. The fifth report of the Registrar General, has the following sensible remarks on this subject: "It is not a little remarkable, that, although the increase of population, and the influence of early and late marriages, on the welfare of nations, have, for the whole of the present century, occupied public attention, and been made the basis of theories which have guided, or biased legislation, no provision has yet been made for determining the simplest fundamental facts—the foundation of all reasoning on the subject—such as the ages at marriage, the ages of mothers, of children, the numbers of married and single persons, at the several periods of life. Upon many of these points, the greatest ignorance prevails, writers on population depending on rough approximations, derived from scanty, imperfect, and often erroneous data, because the censuses and registers have not yet been taken and abstracted upon a comprehensive and well-considered plan."

The above defects were partially corrected by the Act of 1844. Record books, on a uniform plan, have been furnished to all the towns in the Commonwealth, and means provided to have the entries made in a systematic manner. Other defects, however, noticed below, still exist, and they should be provided for.

4. The existing law does not make it the special duty of some particular person or persons, to furnish and to collect the information. When the responsibility of executing the law is divided among several individuals, as it is by the present Act, no one feels its force sufficiently to secure its observance. The experience of every government, where systems of registration have existed, shows that it must be made the special duty of some individuals named to collect the information. To leave this duty to the voluntary action of any one in the community,

uniformly fails of securing that full and accurate information, which is essential to render the record valuable.

5. They do not give the clerk the legal right to make the inquiries necessary to obtain the information. After a proper law has been in operation, the people will, no doubt, so far see its advantages, that it will seldom, or never happen, that objections will be offered against furnishing the information required. Authority should, however, be given to the proper officer, to make the necessary inquiries, for, it may possibly happen, that some factious individual may, without sufficient cause, deny his right to do it.

6. They do not allow sufficient compensation for the performance of duty, nor enforce sufficient penalties for the neglect of it. The officer, appointed to execute the law, should have a reasonable compensation for the performance of duty, and sufficient penalties should be imposed upon him, for the neglect of it. In this way, it will be made his interest, as well as duty, to do what the law requires.

7. They allow the penalties, if any are recovered under the law, to accrue to the benefit of the town, instead of partly or wholly to the individual who makes the complaint. This takes away a strong motive, to see that the law is enforced, even where known and flagrant violations may exist.

8. They do not insure records of every birth, every death, and every marriage; and thus fail of accomplishing the objects intended. This failure will be apparent from an inspection of the registration reports.

9. They make no requirements that the records should be provided with indexes, by which a name may be easily found, without laborious, and often unsuccessful, examination. A comparatively trifling labor would provide a remedy for this defect, and be of great public and private convenience.

10. The law does not make the registration year conform to the common year, and thus renders it difficult to compare the facts obtained under it, with similar facts in other places, where the common year is the registration year.

11. The law does not require the returns to be made and preserved, in such form that they might be easily accessible to

the public, in the office of the Secretary of State. This is a defect that might be easily corrected and removed.

III. THE THIRD QUESTION to be considered, is, *What provisions of law are necessary, or expedient, to secure the registration of all births, marriages and deaths?* Can a law be prepared, that will be acceptable to the citizens of this Commonwealth?

In pointing out the defects of the existing laws, we have already suggested some provisions which should be embraced in a new act. It should be as simple in its requirements, as clear in its intended meaning, and as easy in its practical operation, as possible, consistently with securing the objects designed. It must be understood, however, that a great measure of this kind cannot be presented as a perfect whole, without considerable detail, nor can it be carried into operation, without attention and labor. Like many great works, the machine may be well designed, and sufficient power may be applied to set it in motion; but, without a watchful care in superintending its operations, it will fail of accomplishing its purposes.

There are two methods by which the law might be rendered effectual. One is, to reconstruct the whole, and devise an entire system, complete, and in sufficient detail in all its provisions, retaining such parts as are approved, and modifying or rejecting the remainder. The other is, to amend the existing law. If the first plan were adopted, an act might be framed on the basis of the one proposed by a member of the committee to the last Legislature, and printed in Senate Document, No. 24. That proposed act contains ten sections only, and seems to embrace all necessary requirements, though it might be amended in some of its features. The English registration act contains 134 sections. If the other plan should be preferred, a few provisions, as amendments and additions to the existing law, might afford an adequate remedy for the most essential defects, if carried into effect with sufficient care and intelligence. After careful examination of the whole subject, the committee have unanimously agreed to present the latter plan, believing it more in accordance with the present state of public



opinion on the subject, and more likely to secure the approbation of the Legislature. Entertaining these views, they report the accompanying bill.

The *first section* authorizes the town clerk, and makes it his duty, to collect the information required by the act of 1844. The existing registry law of Massachusetts divides the responsibility of obtaining information concerning births, between the town clerk and school committee, without mutual responsibility, making it the duty of the committee to collect this information for the clerk, and of the clerk to record the information, and transmit it to the Secretary of State; but it imposes no penalty upon the committee, and but a mere nominal one upon the clerk, for neglecting it. This division of responsibility, imposing, as the law does, a new duty upon a committee, not immediately connected with their ordinary duties, to be performed without adequate compensation, has constituted one of the principal objections to the law. The design of the above proposed section is to obviate this objection. In the first place, it throws the responsibility of both collecting and recording the information, upon one individual, and where, in the opinion of most intelligent town clerks, it should be thrown; and the inducements held out in a subsequent proposed section, by compensation and fine, will be sufficient, it is supposed, to lead him to perform these duties faithfully.

The town clerk, having this authority, might make arrangements with the physician of his town, with the prudential committee of each school district, or with some other agency, by which the information might be obtained; or he might do it by personal inquiry, himself.

One of the strongest objections to the present law comes from clergymen, and others solemnizing marriage, because it requires them, in making their returns to the town clerk, to give certain information in relation to the parties married. This section relieves such persons from that duty, and makes their labor more simple and easy, even, than under the law contained in the Revised Statutes, and throws it upon the parties joined in marriage, and upon the clerk and registrar—one to furnish, and the other to record, the information.

This section, also, authorizes cities and towns, of more than 10,000 inhabitants, if they see fit, to choose some person, other than the town clerk, to be registrar, to perform these duties. This provision may be necessary to meet the wants of cities like Boston, and other large places, where an accumulation of business would render it difficult for one individual to perform all the duties. It also provides that the clerk, or registrar, shall be, *ex-officio*, a member, and the secretary of the board of health. The clerk, having a knowledge of the deaths and diseases which prevail in his town, would be a proper person to aid the board of health in the discharge of their duties, and to keep their records. By such an arrangement, the proceedings of the board would be accessible in the proper office.

The *second section* provides for obtaining information concerning deaths. It appears, from the remarks accompanying the returns of deaths, some of which are published in the registration reports, that there prevails, in different towns, a great variety of practice in relation to interments of the dead. Most towns have several burying-places; some of the towns have no undertakers, sextons, or superintendents of burials; and few of the sextons are responsible to any town officer, though the law provides that they shall return the deaths. The consequence has been, that interments take place without being generally known, and thus fail to become a matter of public record. This section is designed to provide for these exigencies. It requires the towns to appoint undertakers, or other persons, from whom a knowledge of every death which takes place within his district, may be obtained. Having this knowledge, the clerk would possess the means of making a full record, at or near the time of each interment. When the matter is delayed to the end of the year, it is impossible, owing to the locomotive habits of our people, causing frequent removals from place to place, and to deaths which sometimes occur,—to obtain full and correct returns of the facts, or at least there is much more liability to omissions and errors; and the difficulties of obtaining the desired facts concerning cases which are known to have occurred, are increased. The fees for such duty, as prescribed in a subsequent section, and the liability to fine

or removal for neglect, are deemed sufficient inducements for the discharge of duty. The office of superintendent of burials has existed in Boston, since the incorporation of that city. By this means, every death which takes place is recorded, though all the particulars which it is desirable to obtain in each case, do not appear upon the record. When interments take place in private, family burial places, it would be very easy for the persons interested to make an arrangement with some undertaker to have one of the connexions or friends of the family deputed, or with the town clerk, to have such person appointed a special undertaker, to perform the service of burial, and to make the returns required by the town clerk.

The *third section* provides a compensation for the labor performed, in carrying the law into effect. It is in conformity to the suggestions of many intelligent town clerks, and others, whose opinions have been obtained, and it is supposed they will induce all concerned to devote sufficient time, energy, and ability, to carry the law into successful operation. Large towns and populous places may deem it expedient to vary the amount of compensation, and a proviso is inserted for this purpose; though no arrangement is allowed which will defeat the design of the act.

The *fourth section* prescribes the penalties for neglect of duty, and for violations of the act; and they are believed to be reasonable and proper.

The *fifth section* relates principally to the duty of the Secretary of State, and provides that indexes shall be furnished to the several towns; and also that the blanks for the returns shall be printed on paper of uniform size, bound, and accompanied with indexes. This will render them easily available, and useful to the public, for reference, either for matters of personal history, or for a more special examination for information, concerning particular diseases, or other physical facts, than may be contained in the published annual reports. Another provision is, that the registration year shall conform to the common year, and not, as it now does, to the period from May 1st of one year, to April 30th of the next. This will enable us to compare the abstracts with those of other places and countries, in which this division of time almost universally prevails.

If the law, thus amended, were carried into effect, with sufficient intelligence, it is believed it would secure the registration of most of the desired facts, and thus accomplish the great purposes of the measure. The Secretary might issue instructions, as he is now authorized to do, in relation to certain matters, which the town clerks do not uniformly observe; and by the use of a revised and more perfect system of blanks for births, for marriages, and for deaths, and by some transposition of the headings in the record books, when new ones shall be required, the whole matter might be rendered simple, and easy to be understood, and to be carried into practical operation.

IV. The FOURTH QUESTION proposed for consideration is, *Is this a proper time to pass an efficient Registry Law?* Is the public sentiment now prepared to sustain it?

There are several considerations in favor of revising these laws at this time:—

1. The Constitutions, both of this State, and of the United States, provide that a census must be taken in 1850; and, should measures be matured to secure, in one or both of these censuses, such an accurate enumeration as might be obtained; and an accurate registration of the births, marriages, and deaths, which take place in 1849, 1850, and 1851, be made, we should possess data of the utmost consequence to construct accurate life tables, and to illustrate all the most important questions relating to population. Should this opportunity be suffered to pass by without accomplishing this most important object, ten years must elapse before another one will be presented.

2. Many persons anticipate that the Asiatic Cholera will extend into this State, this year. Should it, or any other epidemic disease prevail here, it is extremely desirable that our registration laws should be so modified now, as to secure proper records. A knowledge of the circumstances under which it may prevail, will greatly aid our people in avoiding its ravages.

3. We now possess the means of acting intelligently on this subject. When the existing law was passed, in 1844, it was, in some measure, an experiment. It had imperfections, and, in its operation, some supposed, at the time of its passage, that it

might not fully accomplish its intended purpose. And it was suggested to the compilers of the Fourth Registration Report, that the remarks accompanying the returns of the several town clerks, on whom devolved the principal labor of carrying the law into operation, should be inserted, that the Legislature might have their testimony, and the results of their experience; and this practice has been continued in the subsequent reports. These documents afford the means of essentially aiding the Legislature in framing proper laws. The committee have also had access to numerous private letters, from town clerks, and they have obtained the opinions of other intelligent men. The laws and results of registration in the governments of Europe have also been examined. All these sources of information afford the means of enlightened legislation. The uniform opinion of those who have examined the subject, seems to be, that a more efficient system is expedient, and that the present is a favorable opportunity to devise one.

V. The FIFTH QUESTION which we propose to consider is, *Can an efficient system of Registration be carried into practical operation?* Is it adapted to our institutions? and will it be approved by our people?

To illustrate this part of the subject, it may be proper to advert, briefly, to the experience of others on the subject. Systems of registration are in operation, in nearly all the civilized governments of Europe. Geneva was one of the earliest cities to establish a system of registration of births, marriages, and deaths. The registers were begun as early as 1549, and have since been continued with great care. They contain facts in relation to every person who is born, marries, or dies, and are viewed as the authorized evidences of civil rights. The registration includes the name of the disease which caused the death which is certified to, not only by the attendant physician, but also by a district physician, appointed by government, who is charged with the inspection of every person deceased, within his district. The reports of the officers are examined every fifteen days by a medical board, discussed, and sometimes modified, or extended. After all this effort to obtain scientific

accuracy, the report is returned to the attending physician, who adds all the information intended to be recorded. The facts which the registers furnish, admit of a comparison of the whole number of deaths, with the population, the influence of different diseases, the law of mortality as influenced by months, seasons, age, &c.; and many other important practical results. Meteorological observations are attached to the annual reports; and they contain statistical and topographical observations, illustrating the sanitary condition of the canton. These registers have been frequently examined. The results of the examination made by Edward Mallet, and others more recent have been before the committee. It appears, that human life has wonderfully improved since these registers were kept. The life-time of every individual born, appears, in the different periods, as follows:—

Period.	Years.	Months.	Days.	Rate of Increase.
1550 to 1600	8	7	26	100
1600 to 1700	13	3	16	153
1701 to 1750	27	9	13	321
1751 to 1800	31	3	5	361
1801 to 1813	40	8	10	470
1814 to 1833	45	0	29	521

Showing that the mean duration of life has increased more than five times, during these periods.

The progression of the population and the increased duration of life have been attended by a progression in happiness. As prosperity advanced, marriages became fewer and later. The proportion of births were reduced, but a greater number of the infants born were preserved, and the proportion of the population in manhood became greater. In the early ages, the excessive mortality was accompanied by an excessive fecundity. In the last ten years of the 17th century, a marriage still produced more than five children; the probable duration of life attained, was not 20 years. Towards the end of the 18th century, there was scarcely three children to a marriage, and the probabilities exceeded 32 years. At the present time, a marriage produces, on the average, scarcely less than 3 children, and the life-time is 45 years.

The absolute number of the population has only doubled during three centuries; but the value of the population—the real productive power, has increased in a much greater proportion, and has more than doubled upon the mere numerical increase. In other words, a population of 27,000, in which the probability of life is 40 years for each individual, is more than twice as strong for the purposes of production, as a population of 27,000, in which the probability or value of life is only 20 years for each individual.

Geneva has arrived at a high state of civilization, and this wonderful improvement is attributed, among other things, by M. Mallet, to the information obtained under their system of registration, rendering the science of public health better known and understood; to larger, better, and cleaner dwellings; to more abundant and more healthy food; and to a better regulated public and private life. He cites an instance of the effects of regimen in the preservation of life, where 86 orphans had been reared in one establishment in 24 years, and one only of whom had died. They were taken from the poor, among whom the average mortality was six times as great.

We have been accustomed to cite the example of Prussia, as worthy of imitation in the measures she has taken to promote the intellectual advancement of her people; but her measures to advance their physical energy and power deserve equal, if not greater praise. Every fact there, is gathered with great care, under the direction of a central officer at Berlin, and arranged and published for the benefit of the people. A paper, on the average length of life in the Prussian States, written by Mr. Hoffman, director of the Statistical Bureau at Berlin, was before the Committee, and an extract is presented to show how these things are managed under that government.

The first extract is designed to illustrate the principle of the average length of life, and to show its operation under different circumstances, and the manner in which it was obtained in Prussia.

“The average length of life from birth up, will be found expressed in years and fractions of years, if we divide the number of the living by the mean proportion of annual deaths. For example, if among 1,000 there annually die,

upon an average, 25, then the average length of life will be 40 years; that is, these 1,000 persons, taken together, live 40,000 years, and to each one of them in the average, falls a life of 40 years, different as the length of life among individuals may actually be. The same result may arise in very different ways. A great many may die early, and yet the few survivors live so long, that still the average for each among the thousand will be 40 years; or the great majority may attain to but a little above or below 40 years, and very few die early or live to a great age. If, for example, 600 were to die so early as to average only 12 years apiece, or altogether 7,200 years, still an average of 40 years might result for the whole 1,000, if the other 400, taken together, were to live 32,800 years, or, on an average, 82 years each. But the same average length of life for the 1,000 would occur, if the first mentioned 600 should reach, on the average, 36 years each, or, altogether, 21,600 years; then the other 400, taken together, would live only 18,400 years, giving an average of only 46 years to each individual. It is clear that the condition of human society would be a very different thing, according as one or the other of the above hypotheses should be realized. Consequently, observations of this sort are particularly instructive, when the mean duration of life is reckoned, not merely from birth up, but also from certain other remarkable points in the course of human life. The age of those who die is commonly given, and hence it is easily possible to determine the number of those who died after the completion of a certain age. Thus, by comparing the annual entries upon the records in the Prussian States, we see how many died after the completion of their 1st, 2d, 5th, 7th, 10th, 14th, 20th, 25th year, and then again, from 5 to 5 years, until the completion of the 90th year. With these aids, it has become possible to ascertain the mean duration of human life, for the last named and peculiarly important divisions of life. This must be done separately for each of the sexes, since remarkable differences appear between them. It is known that for 100 girls, 105 or 106 boys are born, but this excess generally dies away during the first year of life; hence, from birth up, the mean duration of the male sex appears smaller than that of the female; but this difference, for the most part, vanishes in the mean duration for those over one year, which is found to be considerably greater, than that for the newly born, because they have already happily survived the first and most dangerous year of life. The mean duration for those over 14 is, for the most part, not very different from the mean duration for those over one year old; the diseases of childhood are past at the close of the 14th year, and this increases the hope of life; but then the 14th year completes a fifth part of the natural term of life, if we reckon it at seventy, and this again diminishes the hope of living. For those over 60, the mean duration of life in most of the provinces is not much under ten years, sometimes a little more.

“The difference of the mean duration of life in the different divisions of the Prussian States is very considerable; and it is by no means sufficient to estimate the same for each governmental district separately, for many districts consist of very unequal parts, which were only put together because singly they were too



small to bear the expense of separate local governments. Accordingly, by comparing neighboring circles of similar soil and population, seventy divisions have been formed, for which the average length of life of the inhabitants is estimated below. We adopt that division of the State-domain into provincial (landsrätliche) circles, which existed at the reception of the statistical tables at the end of the year 1834; later changes in the territorial boundaries could not here be regarded. The averages have been drawn, from the 15 years, from the beginning of the year 1820 to the end of 1834; that is, from the same years with the comparative statement of births, and deaths."

The Prussian States are divided into three principal divisions, nine sections, and seventy subdivisions, in which are classed the towns, or "circles," as they are there called, and the average duration of life in each subdivision is calculated. The extract given below is the entire account of one section, containing eight subdivisions.

"C. Third section, comprising the southern part of Upper Lausitz, all Middle Silesia, and Upper Silesia, west of the Oder.

Div. 1. *Circ.* Görlitz and Bunzlau.

" 2. " Kainau-Goldberg, Liegnitz, Jauer and Striegau.

" 3. " Neumarkt, Wohlau, Militsch, Trebnitz, Oels, Breslau, Ohlau and Brieg.

" 4. " Strehlen, Nimptsch and Münsterberg.

" 5. " Reichenbach, Schweidnitz, Waldenburg, Bolkenhain, Landshut, Kirschberg, Schönau, Lowenberg and Lauban.

" 6. " Frankenstein, Glatz, and Kabelschwerdt.

" 7. " Neustadt, Falkenberg, Neisse and Grottkau.

" 8. " Ratibor and Leobschütz.

The whole embraces 397.75 geographical square miles, and the population amounted, at the

Beginning of 1820, to . . . . .	1,422,694
End of 1834, to . . . . .	1,681,250

Making an average, to the square mile, at the

Beginning of 1820, of . . . . .	3,577
End of 1834, of . . . . .	4,227

So that the population increased about 18 1-6 per cent. in the 15 years.

"This section contains, in the first place, the fertile and highly cultivated plain, which stretches away between lower Silesia and the mountains, and continues east of the Oder beyond the Trebnitz mountain and to the Partsch, where it is considerably poorer. Moreover, to it belongs the whole front, middle and highest part of the mountains as far as to the Austrian boundary, and to the southernmost point of Upper Silesia. By far the greatest part of the soil

is here very fruitful, with the exception of the high mountainous parts, where the rougher climate and partly also the rocky soil is unfavorable to cultivation. The whole tract is occupied by Germans, except a few countries, in which the Polish speech and manners have passed over into the neighboring circles; but in the circles of Leobschütz and Ratibor there is a numerous colony of Moravians, who have preserved their provincial language and manners. The religion of the inhabitants in divisions 1, 2, 3, 4 and 5, is mainly evangelical, although a considerable number belong to the Catholic church; in division 6, 7, 8, on the contrary, the Catholic confession of faith prevails almost exclusively, and the few Protestants for the most came in when the Prussians took possession in the year 1742. The mean duration of life here was:—

## (a) From birth up :

	<i>For Males.</i>	<i>For Females.</i>
Div. 1. . . . .	37 years, 280 days.	41 years, 245 days.
“ 2. . . . .	32 “ 26 “	35 “ 10 “
“ 3. . . . .	32 “ 180 “	35 “ 348 “
“ 4. . . . .	36 “ 198 “	39 “ 166 “
“ 5. . . . .	29 “ 172 “	32 “ 27 “
“ 6. . . . .	31 “ 176 “	34 “ 234 “
“ 7. . . . .	30 “ 304 “	32 “ 331 “
“ 8. . . . .	26 “ 140 “	27 “ 99 “

## (b) From the beginning of the 2d year, up :

	<i>For Males.</i>	<i>For Females.</i>
Div. 1. . . . .	59 years, 27 days.	59 years, 112 days.
“ 2. . . . .	52 “ 53 “	51 “ 280 “
“ 3. . . . .	46 “ 156 “	48 “ 139 “
“ 4. . . . .	53 “ 228 “	53 “ 59 “
“ 5. . . . .	49 “ 51 “	48 “ 2 “
“ 6. . . . .	47 “ 170 “	47 “ 55 “
“ 7. . . . .	46 “ 12 “	44 “ 309 “
“ 8. . . . .	37 “ 189 “	35 “ 209 “

## (c) From the beginning of the 15th year, up :

Div. 1. . . . .	52 years, 124 days.	51 years, 265 days.
“ 2. . . . .	49 “ 214 “	48 “ 278 “
“ 3. . . . .	46 “ 64 “	47 “ 276 “
“ 4. . . . .	50 “ 27 “	49 “ 167 “
“ 5. . . . .	46 “ 203 “	44 “ 254 “
“ 6. . . . .	44 “ 162 “	42 “ 129 “
“ 7. . . . .	45 “ 199 “	43 “ 135 “
“ 8. . . . .	40 “ 47 “	36 “ 61 “

(d) From the beginning of the 61st year, up :

Div. 1.	. . .	10 years, 57 days.	9 years, 161 days.
“ 2.	. . .	9 “ 157 “	8 “ 227 “
“ 3.	. . .	9 “ 69 “	9 “ 208 “
“ 4.	. . .	10 “ 92 “	9 “ 201 “
“ 5.	. . .	9 “ 108 “	8 “ 245 “
“ 6.	. . .	9 “ 284 “	7 “ 358 “
“ 7.	. . .	8 “ 346 “	8 “ 66 “
“ 8.	. . .	7 “ 250 “	7 “ 12 “ ”

From this statement it appears that the average duration of male life, from birth upwards, is, in the first division, 37 years, 280 days: and, in the 8th division, 26 years, 140 days only; showing a difference of 50 per cent. That is, the people in one section of the country live, on the average, 11 years, 140 days more than in the other; showing that human life may be thus far extended. Other interesting deductions may be made from these facts. Can any doubt the great value of such statements, if applied to the different sections of Massachusetts, and the different conditions of the people, and made from the correct data which a proper registry system would furnish?

The most perfect system of registration, on the Continent of Europe, exists in France; and was introduced into the Code Napoleon. It records marriages, as civil arrangements, and treats the registers of births and deaths as purely civil matters. The entry of a birth is founded on a declaration, which is required by law to be made within three days after it has occurred, the infant itself being necessary to be produced and identified. The formalities and facts, necessary to this declaration, and the entry thereupon in the register—forming what is called the “Acte de Naissance”—are as follows:—1. The year, day, and hour, when the declaration is received. 2. The name and quality of the public functionary receiving it. 3. The name, age, profession, and residence, of the party declaring the birth—generally the father, or a near relation, &c., according to circumstances. 4. The presentment of the child. 6, 7, 8. The day, even the hour, and the place of birth. 9. The names, profession, and abode, of the father and mother. 10. The name given to the child, (one name only is recommended.)

11. The names, professions, and abode, of two witnesses, at the declaration and presentment. 12. The fact of the declaration having been read over to them. 13. The signature of the functionary, the declarer, and the witnesses. 14. The mention of any cause, which may prevent any party signing. 15. The entry of the whole in the registry-book, without any blanks, abbreviations, or figures. 16. The noting of any erasures, &c.

The contract of marriage, so far as concerns its legal requisites, is regarded, in France, as entirely civil. As it appears on the register, it comprises the following facts, or operations:—

1. The year, month, day, and hour, of the reception of the act.
2. The quality, &c., of the public functionary.
3. The place of celebration.
4. The names, &c., of the married persons.
5. Mentions the fact of their being of or under age.
6. The names, &c., of their respective fathers and mothers.
7. Their consent to the marriage.
8. The fact of previous publication of the intended marriage.
9. Mentions the fact of there having been, or not having been, any opposition, and, if any, whether it was removed.
10. That the 6th chapter of the Code, "On the Mutual Rights and Duties of Married Persons," was duly read to the parties, and witnesses.
11. The declaration by the contracting parties, of their marriage.
12. The pronouncing of their union accordingly.
13. The immediate drawing up of the act.
14. The names, &c., of four witnesses present.
15. Declaration of their relationship.
16. The reading of the act to the parties and witnesses.
17. The signatures of the officer, parties, and witnesses.
18. Mentions those who cannot sign.

In cases of death, it is the duty of the public officer in France to attend on the spot, and receive the legal declaration of the fact, and, without the production of his certificate of this public duty having been performed, no burial can take place; this visit, of course, supplies a very proper opportunity for ascertaining the cause of death, not only for purposes of statistical inquiry, but, for legal investigation, in cases of violent death. In such cases, the officer, after calling in medical opinion, transmits information to the "Procureur du Roy," who acts upon it, if necessary. The act, drawn up in the register-book, com-

prises the following particulars:—1. The year, month, day, and hour, of receipt. 2. The name, &c., of the officer. 3. The names, &c., of two witnesses, and their relationship, if any, to the deceased. 4. The day, and even hour, of death. 5. The name, &c., of the deceased. 6. The name, &c., of the deceased's husband, or wife, if one is left. 7. The names, &c., of the deceased's father and mother, as far as known. 8. The place of death. 9. The reading of the act to the parties appearing. 10. The signatures of the officer and parties. 11. Mentions of any reasons for not signing.

These registers are compulsory and universal. They are kept by a civil officer, in every commune, of which there are 40,000 in France. Their accuracy and regularity are most carefully assured, and vigilantly preserved. Duplicates are kept and closed, each year, with formalities that preclude interpolation. Tabular, alphabetical indexes, are formed annually. One copy, of the duplicates and index, remains in the records of the parish, or commune, and the other is transmitted to the tribunal of the district, where it is examined, and placed under the superintendence of the local officer of the government. From all these local documents, another complete alphabetical index, and a quinquennial or decennial analysis, are made; and these statistical documents furnish the useful information, as to the movement of the population, which almost supersedes the necessity of a census, and which philanthropists and wise men and good governments desire. But, as it might be apprehended that these regulations, though of public utility, might be productive of individual and social vexation, and considerable expense, it is important to know that the system is deemed, throughout France, an individual and social benefit, and is neither evaded nor disliked. And it is, also, important to know, that, in Geneva, in the Rhenish Provinces of Prussia, and in Belgium, where the regulations were introduced when these countries were subjugated to France, they are still tenaciously adhered to, though the countries have long since become independent, and might have returned to the forms they previously observed; and that, in Belgium, after the last revolution, in 1830, an attempt was made to restore the clerical registrars, by the parochi-

al Catholic clergy; but that it was frustrated by the decided exertions of the nation, who would not consent to the change. There the registrations are gratuitous; and, since that revolution, these registrations are rendered additionally independent of religious opinions; and, though the clergy are allowed to record births, marriages, and deaths, when they are called in to perform religious ceremonies, yet, their inscriptions and memoranda are purely ecclesiastical, and have no official character in civil affairs. There, too, the humblest individual may trace his parentage, and the origin of his family, as well as the most illustrious personages, who possess genealogies, the result of laborious research.

In England, parochial registration had been practised, to a greater or less extent, for over two centuries, but its imperfections had long attracted the attention of those who had examined it; and, on the 28th March, 1833, a large committee was appointed by Parliament, to consider the whole subject. On the 15th August, succeeding, after a thorough investigation, a full report of the result of their labors was submitted. The conclusions of the committee were:—

“1. That the subject is urgently important:

“2. That it involves matters of great public and national interest, as well as individual satisfaction, and rights and claims to property; and deserves the attention of the humblest artisan, as well as of the most philosophical and statesmanlike inquirer:

“3. That the existing law is imperfect and unjust, and requires not only partial amendment, but real fundamental reform:

“4. That great trouble, vast expense, utter uncertainty, capricious changes, and local and general evils exist, while no means are supplied to obtain the information other countries possess, and justly value, as to the state of disease, the operation of moral and physical causes on the health of the people, the progress of the population, and other matters, on which accurate knowledge can scarcely be too highly appreciated, or too intensely pursued.”

In consequence of the information contained in this report,

an “Act for the Registration of Births, Marriages, and Deaths, in England and Wales,” was passed, June 6, 1836, and went into operation, July 1, 1837. This act was brought into Parliament by Lord John Russell, the present prime minister of Great Britain, and was advocated by him in a very able speech, in which he said, “It was most desirable that a general system of civil registration should now be carried into effect. It was a most important subject—important for the security of property—important to ascertain the state and condition of individuals, under various circumstances—important, to enable the government to acquire a general knowledge of the state of the population of the country, that there should be a general registration of births, marriages, and deaths.” Sir Robert Peel, Dr. Bowring, Lord Morpeth, and other distinguished members of Parliament, were also its warm supporters.

The following are the forms of the headings of the Register Books, used in carrying the law into effect :—

BIRTHS in the District of ——— in the County of ———

Blank for remarks.	No.	When born.	Name, if any.	Sex.	Name and surname of father.	Name and maiden surname of mother.	Rank or profession of father.	Signature, description and residence of informant.	When registered.	Signature of Register.	Baptismal name, if added after Register of Birth.
1	2	3	4	5	6	7	8	9	10	11	12

DEATHS in the District of ——— in the County of ———

Blank for remarks.	No.	When died.	Name and surname.	Sex.	Age.	Rank or profession.	Cause of death.	Signature, description, and residence of informant.	When registered.	Signature of register.
1	2	3	4	5	6	7	8	9	10	11

MARRIAGE solemnized at — in the — of — County of —

No.	When married.	Name and surname.	Age.	Condition.	Rank or profession.	Residence at the time of marriage.	Father's name and surname.	Rank or profession of father.
1	2	3	4	5	6	7	8	9

Under each entry in the register, is inserted—

Married at ——— according to the rites of ——— by me ———

This marriage was solemnized between us, }	_____ }	In the presence of us, }	_____ }
	_____ }		_____ }

In these blanks, in the register, the signatures of the different parties, witnesses and registrar named, are placed with their own hand, if they can write, or by their marks, if they cannot.

Chapels are licensed in every parish in which marriages may be solemnized ; and none can take place in private or public, in any part of the kingdom, except in one of these licensed chapels, nor unless the registrar of the district, or his deputy, be present. The record of every marriage is thus made at the moment of its occurrence, and in the presence of the different parties interested.

Under the operation of this act, England and Wales have been divided into 11 divisions, 324 districts, and numerous sub-districts, in which are appointed registers and superintendent registers, for recording births, marriages, and deaths. The whole are under the superintendence of a central officer, in London, denominated the Registrar General. London forms the first division, and is divided into 31 districts. The district registrars enter every birth, marriage, and death, that occurs in their respective districts, and, every Saturday evening, copies are made of all the records made during the preceding week, which are forwarded to the Registrar General, by mail, on Monday, abstracted the same day, and published on Tuesday afternoon following. Notwithstanding the greatness of that



metropolis, containing a population of 2,172,000—nearly equal to three times the whole state of Massachusetts, the returns are made with so great regularity, that it seldom happens that a single one is missing. The deaths by each disease are shown, the prevailing diseases are recorded, and every epidemic is traced, from its origin to its termination. A quarterly report is also published, from returns made by 582 registers, whose districts, with some agricultural parishes, comprise the principal towns of England. The number of deaths, and the prevailing epidemics of these districts, are published quarterly, within a month after the date of the last return. Nine annual reports, embracing the whole of England and Wales, have been published by the Registrar General, and they contain a vast fund of information, of the greatest value, relating to the life, the health, and the welfare of man.

In England, as well as on the continent of Europe, the system is popular among all classes of the people, and is justly regarded as one of the most valuable institutions of the country. All persons seem not only willing, but desirous, to aid the government to carry the law into full effect. A recent medical writer, of the highest authority, says:—"For years, our medical thousands have daily and hourly written out the causes of death, bringing the whole knowledge of the profession to bear upon this single point as unpaid services. In the aggregate, this labor has been enormous, but it has been given, freely rendered, by the profession to the government, without fee or reward. It may seem a plain, unconsequential matter, this gratuitous return of the causes of death, but it makes up a bulk of unpaid service to the State, such as can be presented by no other body or profession in the empire."

"The first bill of health was the act for the registration of births, marriages, and deaths. Before that time, a perfect chaos, respecting population and mortality, reigned. Since that time, a mass of statistics, relating to life, health, and disease, has been accumulating, which will exert, and is exerting, an immensely beneficial influence upon the physical and moral welfare of the population of these realms, and, indeed, ultimately, upon every people upon the face of the globe. The discoveries in astron-

omy have not a more palpable application to navigation and commerce, nor the investigations in chemistry to manufactures, than have the statistics of health and disease to physical and moral regeneration."

The following interesting statement of facts, derived from the Reports of Registrar General of Births, Marriages, and Deaths, in England, the highest authority in matters of this kind, is taken from the speech of Lord Morpeth, made in the House of Commons, March 30, 1847, on introducing his "bill for improving the health of towns in England."

"By a statement drawn up by Dr. Guy, physician to King's College Hospital, from the reports of the registrar-general, it appeared that the relative mortality in the town and country districts, was as follows:—

	<i>Country District.</i>	<i>Town District.</i>
Population to the square mile, . . . . .	199	5,100
Annual deaths in 1,000,000, . . . . .	19,300	27,073
Annual excess in town districts, . . . . .	7,773	
Rate of mortality, . . . . .	1 in 52	1 in 37

"He also supplies further particulars as to the rate of mortality in different places:—

Isle of Anglesea, . . . . .	1 in 62
Isle of Wight, . . . . .	" 58
England, . . . . .	" 45
London, . . . . .	" 39
Leeds and Birmingham, . . . . .	" 37
Sheffield, . . . . .	" 33
Bristol, . . . . .	" 32
Manchester Union, . . . . .	" 30
Liverpool (Parish,) . . . . .	" 29

"Thus the inhabitants of London, compared with England at large, lose eight years of their lives; of Liverpool, nineteen. The population of the large towns in England being 4,000,000, the annual loss is between 31,000 and 32,000. But all towns are not necessarily equally unhealthy, as appears by the following statement:—Liverpool, deaths per 1,000, 35; Manchester, 32; Bath, Coventry, Derby, Dudley, Shrewsbury and Sunderland, 26; Carlisle and Norwich, 25; Halifax and Kidderminster, 21. Now it may be thought that low wages, and the consequent comparatively small command over the necessaries of life, may occasion the greater rate of mortality in certain districts; but I find the following statement made by a colleague of my own, Lord Ebrington, in a lecture which he delivered at Plymouth: 'The

mortality of the south-western district, which includes Cornwall, Devon, Somerset, Dorset, and Wilts, is only 1 in 52, not 2 per cent., while that of the north-western, including Cheshire and Lancashire, is 1 in 37. Now let it not be said that this is owing to extreme poverty and want of the necessaries of life; the condition of the laborers of the west, the badness of their dwellings, the lowness of their wages, the consequent scantiness of their food and clothing, have been the subject of public animadversion. With the exception of the Cornish miners, the condition of the laborers throughout the western counties is described as nearly the same; yet in Wiltshire, the county of lowest wages, the deaths are 1 in 49, in Lancashire, 1 in 36. The average age at death in 1841, was, in Wiltshire, 35 years, in Lancashire 22, at Liverpool 17; that of the laborers in Wiltshire 35, operatives in Liverpool 15. At Manchester, in 1836, the average consumption per head of the population, was 105 lb. of butcher's meat, about 2 lb. a week, exclusive of bacon, pork, fish, and poultry, (what a different average would our county produce;) the average age at death was twenty. The proportion of paupers in the 15 principal agricultural counties, is 1 in 8, in the 12 principal manufacturing counties, 1 in 13; in Lancashire, 1 in 11; and of the deaths in 3,500,000 of town, and about an equal number of a country population, there were, respectively, in 1838 and 1839 together—Country, 1 in 54·91, of whom above 70 years of age, 20 per cent.; town, 1 in 38·16, of whom above 70, 9 per cent.; all England, 1 in 46·60, of whom above 70, 14 per cent.'

“The following was Dr. Guy's statement of diseases which occasion the excessive mortality in large towns:—‘Deaths in 1,000,000 from small pox, in the country, 500; town, 1,000: from measles, country, 350; town, 900: scarlet fever, country, 500; town, 1,000: typhus, country, 1,000, town, 1,250: epidemic and contagious disorders together, country, 3,400; town, 6,000. (Waste of life in towns under this head, 2,600 a year.) Diseases of infants.—Teething, convulsions, water in the head, country, 1,300; town, 3,500. (Waste of infant life under this head, 2,200 a year.) Scrofulous diseases and consumptions, country, 3,800; town, 4,600. Total excess of deaths, 5,500 in the 1,000,000. So that there is a waste of 22,000 lives in the 4,000,000 inhabiting large towns.’

“Dr. Guy also said, ‘The total number of deaths in England and Wales, during the year 1841, was 343,847, or somewhat less than 1,000 a day. Now this is at the rate of one death in 46 inhabitants. But if, instead of one death in 46 inhabitants, there had been one death in 50 inhabitants, or 2 per cent., no less than 25,407 lives would have been saved. Now, all men who have paid any attention to this subject agree in the opinion that, by proper sanitary measures, it is possible to insure such a state of health among the community at large, that the mortality shall not exceed that proportion. If the sanitary state of the entire country could be raised to the condition of the most healthy counties, so that instead of one death in 46 inhabitants, there should be only one death in 54, we should have an annual saving of no less than 49,349 lives, or about one-seventh of the whole number of deaths! At first sight, it may

appear extravagant to represent such an improvement of our sanitary condition as possible; but, when it is recollected that, on the one hand, even our most agricultural counties have not yet attained to their best sanitary state, and that our large towns have been hitherto almost entirely neglected, and admit of immense improvement, the attainment for the whole country of a sanitary condition represented by one death in 54 inhabitants, is at least within the bounds of possibility.'

“Dr. Southwood Smith said:—‘In some localities, there was not a single house in which fever had not prevailed, and, in some cases, not a single room in a single house, in which there had not been fever. The districts in which fever prevails, are as familiar to the physicians of the fever hospital, as their own names. In every district in which fever returns frequently, and prevails extensively, there is uniformly a bad drainage, a bad sewerage, a bad supply of water, a bad supply of scavengers, and a consequent accumulation of filth; and I have observed this to be so uniformly and generally the case, that I have been accustomed to express the fact in this way:—If you trace down the fever districts on a map, and then compare that map with the map of the commissioners of sewers, you will find, that, wherever the commissioners of sewers have not been, there fever is prevalent; and, on the contrary, wherever they have been, there fever is comparatively absent. Some idea may be formed of the evils which our negligence in the matter of sewerage and drainage inflicts, when I tell you that the annual deaths from typhus fever amount to 16,000, and the attacks of this loathsome disease to between 150,000 and 200,000.’

“Further still, Dr. Lyon Playfair calculates that, for one unnecessary death, there are 28 cases of unnecessary sickness; consequently, in our large towns, above 700,000 cases of unnecessary sickness. The same calculations in the metropolis would save 10,000 deaths, and 250,000 cases of unnecessary sickness.

“Then it may be asked whether all parts of our towns are equally subjected to these causes of sickness and death? So far from that being the case, I find, from one of the reports of the registrar-general, that the metropolis is divided into three groups, of 10 districts each, under the title of the healthiest, the medium, and the most unhealthy districts. The result is as follows:—10 healthiest, with an allowance of 202 square yards to each person, have a mortality of 1 in 49; 10 medium, with an allowance of 102 square yards to each person, have a mortality of 1 in 41; 10 unhealthiest, with an allowance of 32 square yards to each person, have a mortality of 1 in 36. Liverpool—gentry, 1 in 35; working classes, 1 in 15. The Rev. Mr. Clay, of Preston, makes four classes of streets:—Well-conditioned, mortality among children under 1 year, 15 in 100; moderately-conditioned, 21 in 100; ill-conditioned, 38 in 100; worst-conditioned, 44 in 100, or three times as much as the first. I will only refer back to the very last half year’s report, where it appears, from tables prepared by Mr. Chadwick, that, in St. George’s Hanover-square, the average age at which the gentry die is 45; laborers, 27; St. Giles’s and St. George’s Bloomsbury—gentry, 40; working classes, 17.

“ Now, the documents of most authority on these subjects, are the quarterly returns of the health and mortality made up from 115 districts of England, by the registrar-general; I will only quote from the latest; first from the quarter ending June 30, 1846. From this report, it appears that ‘ 43,582 deaths were registered in the spring quarter, ending June 30—a number greater by 2,853 than were registered in the corresponding quarter of 1845; and 4,731 more than in the June quarter of 1844. If the mortality had not been higher in the towns than in the poor country districts where the air is pure, the deaths in the quarter would not have exceeded 33,000. Within the last three months, 10,000 lives have been destroyed in a part only of England, by causes which there is every reason to believe, might be removed.’ The report goes on to say, that ‘ the inadequate supplies of water by companies, the imperfect sewerage in towns, the open drains and ditches, and the general neglect of cleanliness, leave everywhere great quantities of organic matter, to decay and putrefy in the midst of crowded populations. In such circumstances, the mortality, like putrefaction, is always increased when the temperature is high, and epidemics of diarrhœa, dysentery, and cholera prevail. Many thousands of the people of England were carried off in the last quarter, by these diseases, and others of the zymotic class. In the metropolis, the deaths at the close of June from diarrhœa, dysentery, and common cholera, rose to 40 weekly. Nor is that to be wondered at. Notwithstanding the improvements effected when cholera was last epidemic, the foul untrapped sewers, and the ground areas of the best streets, emit noisome smells, volatile poisons, which are as fatal as arsenic to a certain number of persons. London is surrounded too by stagnant, putrid ditches, as some cities are by walls. It would be well not to wait carelessly until cholera reaches the country, but to ‘ look before,’ remove these nuisances, and purify the reeking atmosphere, which gives the disease breath, life, and being. These remarks apply with ten-fold force to Liverpool, Sheffield, and the towns of the north, where the epidemics in the last quarter were more fatal than they had ever been before, and diseases were in proportion to the population at least one-third part more numerous than in London.’ ”

This system of registration has afforded the means of forming a general life table, showing the average lifetime at birth, and the after-lifetime at every age, in England. The committee extract the following interesting description of that table, and the suggestions to which it gives rise, from the Fifth Registration Report. Similar tables are being formed for every local district :—

“ In the years 1840–1, a million children (1,014,461,) were born in England, and their births were registered, if the mortality should remain the same, the Life Table will enable us to follow this million, and to determine how many

will be alive, and how many will die, through the several years of the next century, until they have all 'returned to the earth from which they came,' and been replaced by other generations destined to pursue the same rounds of life. To bring the observation within narrower limits, let us take 100,000 as the basis of the observation; and, from the proportions of the two sexes registered, it will be found that 51,274 of them were boys, 48,726 girls. And here it will be recollected that they are not government annuitants—nor persons who have assured their lives—nor selected lives—nor the inhabitants of any particular town—but the children of all ranks and classes of Englishmen; some of them born in halls and palaces, and surrounded by all the luxuries and conveniences of life; others born in huts on the mountain side, in the cellars of ill-constructed cities, in lodging-houses, in cottages, farm-houses, or such dwellings as our towns afford. Let it be assumed that the 100,000 were all born on the same day—the 1st of January, 1841; and that the survivors, counted on the first day of 1842, 1843, and of every year for the next 100 years, will exist in the numbers against the respective ages of the table, which I shall call the English Life Table.

“Of the 100,000 children born, according to the supposition, on January 1st, 1841, 85,369 were alive on January 1, 1842. They were exactly a year old, and are placed against the age '1' of the table. 14,631 perished in the first year, the fourth part of them in the first month of life. This is a smaller proportion of deaths than people have been led to suppose occur in the first year; but the facts leave it undoubted that at least this number of children survived in 1841 out of 100,000 born. On January 1, 1843, the survivors were two years old, and in number 80,102; 5,267 died in the second year. On January 1, 1846, the 5th birthday will be attained, and there will be 74,201 living. In the first five years, therefore, 25,799 of the 100,000 children born, die; during this period, when they are at home and under the care of the mother, and encounter the contagious diseases which beset the beginning of life, their safety depends very much upon the power of the parents to supply them with food and raiment—upon the mother's watchfulness and cleanliness—upon the air they are doomed to respire in imprisoned courts and alleys, or in the fresh open atmosphere of healthy country districts. During the next 5 years, when they leave home more, and when great numbers pass part of the day at school, the mortality becomes less considerable; 70,612 are alive at the age of 10; and from 10 to 15, when those 'who labor with their hands' begin to follow the plough—enter the factory—or descend the mine—the loss of life remains small; 68,627 will live to the age of 15. At this age, the loss of life among girls is rather greater than the loss of life among boys, and it continues so for the next five years, when both sexes are more detached from the care of their parents, and the majority pursue the professions or trades by which they afterwards gain a livelihood. The mortality appears to increase rather rapidly from 12 to 15; and then at a slow regular rate from 15 to 55 years; 66,059 attain the age of 20. It was observed that 51,274 boys were born alive to

48,736 girls; but the mortality in infancy is greater among boys than girls; so that 31,958 males attain the age of twenty-five, and 31,623 females attain the age of twenty-four. This is about the average age of marriage in England; and the number of the two sexes is then nearly equal. About four-fifths of the males who attain the age of manhood marry; the proportion of women who marry being the same. It might have been supposed that the peculiar danger, which women encounter at this age, enhances their mortality; it does so, but less than the mortality of males is increased; 50,301 of the 100,000 persons born, attain the age of forty-five; namely, 25,311 men, and 24,990 women. The chance of living from 25 to 45, is rather in favor of English women. The violent deaths of men, on the rivers, and the sea-coast, in mines, in the streets, in travelling, in their dangerous occupations; the mental agitations and anxieties, terminating unhappily sometimes in suicide—the accumulation of workmen in ill-ventilated shops, or the hard exhausting work of the agricultural laborer, independently of war, and service in unhealthy climates, counterbalance the dangers and sorrows of child-bearing. At the age of 55, this generation will have given birth to, and brought up the generation by which it is to be succeeded; a more rapid rate of mortality will then set in, and more than a thousand die every year; yet 37,996 will be alive at the age of 60, and 24,531 attain the age of 70—11,823 men, and 12,708 women—the mortality of women being less than that of men after 55. The mental faculties, ripened and developed by experience, will not protect the frame from the accelerated and insidious progress of decay; the toil of the laborer, the wear and tear of the artisan, the exhausting passions, the struggles and strains of intellect, and, more than all these, the natural falling off of vitality, will reduce the numbers to 9,398 by the age of 80. After the age of 80, the observations grow uncertain; but, if we admit their accuracy, 1,140 will attain the age of 90: 16 will be centenarians; and, of the 100,000, one man and one woman—like the lingering barks of an innumerable convoy—will reach their distant haven in 105 years, and die in 1945.

‘*Crebrescunt optatæ auræ, portusque patescit  
Jaam propior.*’”

\* \* \* \* \*

“The census has been taken with regularity in the United States of America, but abstracts of the register of deaths have only been published by the cities of Boston, New York, Philadelphia, and some of the more advanced towns. No correct life table can therefore be framed for the population of America, until they adopt, in addition to the census, the system of registration which exists in European States. Since the English Life Table has now been framed from the necessary data, I venture to express a hope, that the facts may be collected and abstracted, from which Life Tables for other nations can be constructed. A comparison of the duration of successive generations in England, France, Prussia, Austria, Russia, America, and other States, would throw much light on the physical condition of the respective populations, and suggest to scientific and benevolent individuals in every country, and to the

governments, many ways of diminishing the sufferings, and ameliorating the health and condition of the people ; for the longer life of a nation denotes more than it does in an individual—a happier life—a life more exempt from sickness and infirmity—a life of greater energy and industry, of greater experience and wisdom. By these comparisons, a noble national emulation might be excited ; and rival nations would read of sickness diminished, deformity banished, life saved—of victories over death and the grave—with as much enthusiasm as of victories over each other's armies in the field ; and the triumph of one would not be the humiliation of the other ; for, in his contention, none could lose territory, or honor, or blood, but all would gain strength."

In consequence of the facts developed under this registry system, several different commissions have been appointed by the government, to inquire into the causes which affect the health of the people living in large towns and populous places. The whole arguments for the sanitary surveys have been based upon the statistics furnished by the working of the registration act. One of these commissions confined its labors to the metropolis. The reports of these health-of-town's commissions have revealed some startling facts relating to the sanitary influences which affect human life. Public attention has been aroused to the importance of the subject.

"Health-of-towns associations" have been formed in nearly all the great cities, for investigating the sanitary condition of their own locality, and for diffusing information among the people, to promote their physical welfare and improvement. "An act for promoting the public health," and another act for the "speedy removal of certain nuisances, and the prevention of contagious and epidemic diseases," have been passed by Parliament. The Metropolitan Health-of-towns Association, embracing some of the most eminent men of London, publish the "Journal of Public Health, and Monthly Record of Sanitary Improvement." The sanitary question has there become *the* great question of the day.

A recent eminent writer says, "at this day, great and momentous questions offer themselves for solution ; but, I submit, that there is not one of them, urgent and important though it be, which can be fairly brought into competition with the great question of sanitary reform. Look at it as a question of humanity, and it will not suffer by a comparison with the highest



efforts of the philanthropist; regard it as a great act of justice, and you will acknowledge, that here, too, it prefers peculiar claims to consideration; measure it by the rule of economy, and I hesitate not to affirm that it stands without a rival; or view it, if you please, in its moral relations and reactions, and I know not whether even the great question of education will rank before it."

These views of the systems and results of registration in other countries show that it is practical and highly useful, and that it is desirable and practicable to introduce an efficient system into our own State. We know it has been said, and may be said, that such a measure might be practical and useful in Europe, and it might be well enough for the despotic or monarchical governments that exact them, but, with us, it would be impossible to carry it into effect, and, if we could, it would be of no use—the freemen of America would never submit to the practical operation of such a law. It seems to us, however, that those who make such remarks have a very imperfect view of the subject; and do not understand the condition of our own people, the bearing of the important facts, which registration has upon that condition, and the disposition of the people to aid any one, whose duty it should be to carry it into effect. There is no country on the globe, where an efficient system of registration could be more easily carried into effect. The arrangement of our towns renders its operation exceedingly simple. Even here, however, considerable labor and attention will be required, for no great object can be accomplished without labor. But what has been done elsewhere may be done here.

The life of man, considered as a rational, immortal being, may be of the same value in all countries, and equally claims the protection of his fellow beings, and a full and free participation of the good gifts of Providence, which have been so freely and so lavishly bestowed for the preservation of his health and the promotion of his welfare. But, considered as a mere producer, how much more important is human life and human health with us, than in the old world, and, yet, there are few civilized countries, where the laws of health are generally more disregarded, or where human life is put to greater hazard, or more lightly treated.

The average value of the labor of an adult male is worth nearly three times as much in Massachusetts as in Europe. There, even while the poor houses are crowded with inmates, it is considered a high, economical, and moral duty to preserve human life, and to elevate it from a low to a high standard of health. If it be a duty there to preserve the public health, where there is so much pauper labor, or labor of so little value, how much more so is it with us, where labor is rewarded with independence, and society is relieved from the burdens of public paupers, so long as health is preserved? How much more necessary is it for us—a free people—to know every thing relating to our condition, as individual and social beings, that lives of liberty may be lengthened, that the strongest possible degree of personal and collective strength and vigor may be attained, and that all the causes which tend to produce or defeat these important results, should be well known and understood!

Massachusetts was the first State in the Union to establish a registry system. Her example has been highly approved by intelligent men in other parts of the country. Efforts have been made to pass similar laws in other states. New York passed a registry law, in 1847; and some other states have the subject under consideration. In this, as in many other matters, Massachusetts has commenced a noble work for the elevation of man. If she goes on and completes the work already begun, her example will be held up as worthy of admiration and imitation in other places.

Massachusetts has, in many matters, done well. Her institutions for dispensing public charity, for education, and for other objects, have been justly admired. She has required annual returns of information to be made and published concerning agriculture, pauperism, and crime, banks, and insurance companies, and other matters. She has indirectly offered premiums for the best farms, and the best farming productions; the best implements of manufactures, and the best articles produced; and has paid to agricultural societies for these objects, since 1830, the sum of \$123,319 18. She has instituted scientific surveys—astronomical, trigonometrical, geological, botanical, and zoological—has ascertained the ornithology, the ichthyology, and

the entomology of the State; and has expended, for these surveys, since 1830, the sum of \$103,414 84. She contributed last year, to common schools, over \$750,000. In all these, and in many other acts, she has done well. We would not oppose these objects of State inquiry, or State expenditure; nor decry the value of the facts thus obtained. All useful information should be spread before the people. But, while we approve of these matters, we are also of the opinion that there are other objects of equal and of greater importance for the investigation of the State.

It may be useful to know the extent, the expense, and the circumstances of poverty and crime, in the State; but is it not more useful to know the causes of this poverty and crime, and how much of it arises from diseases and death which might be prevented? Facts and figures may be useful to show us the sanitary condition of banks and insurance companies, but are not the facts and figures more useful which show us the sanitary condition of man, who directs and controls them all, who participates in all their benefits, and whose agency ceases on the invasion of disease and death? The money of the State may be usefully expended in premiums for the best farms, the best crops, the best horses, cattle, sheep, swine, the best application of labor, and the best productions of mechanical skill; but might not something more properly be expended in teaching us how the best specimens of human life may be produced, what are the causes which most favorably affect its commencement, its childhood, its maturity, its decrepitude, and its extinction? In teaching the people in what places, at what seasons, and under what circumstances it is most invigorated and longest preserved? and how we can best avoid those diseases and causes, which are most likely to occur to debilitate or destroy it? It may be useful to lay out large sums of money for a knowledge of the topography, the mineralogy, the botany, and the zoology, to have described to us the character and habits of all the wild animals existing in the State; but is it not more important to have described to us the different specimens of human life, as they are modified, formed, and exist under the various circumstances which surround them in the different localities in this State; and how those circumstances affect them for good

or evil? Are beasts, birds, fish, insects, of more importance than man, who was ordained "to have dominion over all these creatures?" The contributions of the State for public schools may properly be swelled to a sum exceeding \$750,000 per annum, and thus secure the general education of mind; but is it not more important to expend a tithe of this sum in educating the body, and in preparing healthy and vigorous abodes for the mind, that we may, as a people, become physically as well as intellectually great? Compare it with any measure that has come up for consideration before the people of this Commonwealth, or the Legislature, and few, if any, can be found which have arisen so high, or have equalled it in utility and importance.

Respectfully submitted in behalf of the Committee,

LEMUEL SHATTUCK.

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*Errata* : page 12, line 7 from the bottom, for 14,000 read 4,000.

## Commonwealth of Massachusetts.

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In the Year One Thousand Eight Hundred and Forty-Nine.

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### AN ACT

Relating to the Registration of Births, Marriages, and Deaths.

*BE it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :*

1   SECT. 1. Town and city clerks are hereby author-  
2 ized and required to obtain the information concern-  
3 ing births, marriages, and deaths, now required by  
4 law. Towns and cities, containing more than ten  
5 thousand inhabitants, may choose a person, not the  
6 town or city clerk, to be town or city registrar, to  
7 perform this duty; and said registrar shall take an  
8 oath faithfully to perform the duties of the office.  
9 Each clerk and registrar shall be, *ex officio*, a member  
10 and the secretary of the board of health of the town  
11 or city in which he resides.

1    SECT. 2. Each town clerk and registrar, with the  
2 concurrence of the selectmen of the town, and each  
3 city clerk and registrar, with the concurrence of the  
4 mayor and aldermen of the city, shall appoint one or  
5 more persons to be undertakers or sextons; and no  
6 burial of any person deceased shall take place in any  
7 town or city, except under the superintendence of  
8 one of said undertakers.

1    SECT. 3. The fees of the clerk and registrar, for  
2 obtaining, recording, and indexing, the information  
3 required by this act, shall be as follows:—For each  
4 birth, twenty cents; for each intention of marriage,  
5 including the certificate to the parties, seventy-five  
6 cents; for each marriage solemnized, ten cents; for  
7 each death, five cents; and the undertaker shall be  
8 allowed fifteen cents for information concerning each  
9 death which he returns to the clerk or registrar;  
10 said fees for births, and deaths, and marriages solemn-  
11 ized, shall be paid by the town; and for intentions  
12 of marriage by the parties having such intentions:  
13 *provided, however,* that the aggregate compensation,  
14 allowed to any clerk or registrar, may be limited by  
15 any town or city, containing over ten thousand in-  
16 habitants, but in no case so as to prevent or hazard  
17 the full execution of this act.

1    SECT. 4. Any undertaker who shall wilfully neg-  
2 lect or refuse to obtain and return the information  
3 required by the clerk or registrar, concerning each  
4 person deceased, whose burial shall come under his  
5 superintendence, shall be liable to a penalty not ex-  
6 ceeding twenty dollars for each neglect, and to be  
7 deprived of his office. If any individual, not an

8 undertaker, shall bury a person deceased, he shall be  
9 liable to a like penalty not exceeding twenty dollars,  
10 for each burial. And every clerk or registrar, who  
11 wilfully neglects or refuses to perform the duties  
12 herein prescribed, shall be liable to a penalty of not  
13 less than twenty, nor more than one hundred dollars,  
14 for each neglect or refusal. All penalties and for-  
15 feitures, under this act, may be recovered by any per-  
16 son who shall sue for the same, one half thereof to  
17 the use of said complainant, and the other half to  
18 the use of the town or city in which the forfeiture  
19 shall have been incurred.

1     SECT. 5. Copies of records, in the several towns  
2 and cities, of the births, marriages, and deaths, which  
3 occurred during the next preceding year, shall be re-  
4 turned to the Secretary of State, annually, on or be-  
5 fore the fifteenth day of January. The blank forms  
6 of said returns shall be printed on paper of uniform  
7 size; and those for each year, when filled out and  
8 returned to the office of the Secretary of State, shall  
9 be bound together, in one or more volumes, and shall  
10 be furnished with an index. Blank books for in-  
11 dexes to the town registrars, shall be prepared by the  
12 Secretary of State, and furnished to the several towns  
13 and cities at the expense of the Commonwealth.

1     SECT. 6. All parts of acts inconsistent with the  
2 provisions of this act are hereby repealed.

















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